to him of the sum declared due to him together with any subsequent costs of the suit and other costs, charges and expenses, as may be payable under rule 10, together with such subsequent interest as may be payable under rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1911; and that the balance, if any, shall then be paid to defendant No. 2; and that if the amount paid into the Court be not sufficient to pay in full the sum due to the plaintiff, the plaintiff shall be at liberty (if such remedy is open to him by the terms of the mortgage and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 2 for the amount of the balance.

3. And it is further ordered and decreed that if defendant No. 2 pays into Court to the credit of this suit the amount adjudged due to the plaintiff, the plaintiff shall bring into the Court all documents, etc. [as in sub-clause (*ii*) of clause 2].

4. And it is hereby further ordered and decreed that, in default of payment by defendants Nos. 1 and 2 as aforesaid, the plaintiff may apply to the Court for a final decree for sale, and on such application being made the mortgaged property or a sufficient part thereof shall be directed to be sold; and that for the purposes of such sale the plaintiff and defendant No. 2 shall produce before the Court or such officer as it appoints, all documents in their possession or power relating to the mortgaged property.

5. And it is hereby further ordered and decreed that the money realised by such sale shall be paid into Court and be duly applied (after deduction therefrom of the expenses of the sale) first in payment of the amount due to the plaintiff as specified in clause 1 above with such costs of the suit and other costs, charges and expenses as may be payable under rule 10, together with such subsequent interest as may be payable under Rule 11, of Order XXXIV of the First Schedule to the Code of Civil Procedure, 1911, and that the balance, if any, shall be applied in payment of the amount due to defendant No. 2; and that, if any balance be left, it shall be paid to defendant No. 1 or other persons entitled to receive the same.

6. And it is hereby further ordered and decreed that, if the money realised by such sale shall not be sufficient for payment in full of the amounts payable to the plaintiff and defendant No. 2, the plantiff or defendant No. 2 or both of them, as the case may be, shall be at liberty (if such remedy is open under their respective mortgages and is not barred by any law for the time being in force) to apply for a personal decree against defendant No. 2 or defendant No. 1 (as the case may be) for the amount of the balance.

7. And it is hereby further ordered and decreed that, if defendant No. 2 pays into Court to the credit of this suit the amount adjudged due to the plaintiff, but defendant No. 1 makes default in payment of the amount due to defendant No. 2, defendant No. 2 shall be at liberty to apply to the Court for a final decree for foreclosure or sale (as the case may be)—(*declarations in the ordinary form to be introduced according to the nature of defendant No. 2's mortgage and the remedies open to him thereunder.*)

8. And it is hereby further ordered and decreed that the parties are at liberty to apply to the Court as they may have occasion, and on such application or otherwise the Court may give such directions as it thinks fit.

SCHEDULE.

Description of the mortgaged property.

IN THE COURT OF THE PRINCIPAL SUBORDINATE JUDGE, BANGALORE.

Insolvency Application No. 129 *of* 1937-38.

Donti Venkateshaiya Setty, Chickpet, Bangalore ... *Petitioner. (Creditor).*

vs.

H. Gangadhariah, son of Siddajogiah, Weaver, Dodballapur ... *Respondent, (Debtor).*

Pursuant to a petition, dated 23rd May 1938, against respondent-debtor andon the application of the petitioner-creditor and on reading the evidence and hearing the creditor, it is ordered that the respondent-debtor be and the said debtor is hereby adjudged insolvent.

Dated this 5th day of October 1940.

Proof of debts—13th December 1940.

Time for discharge application—One year.

Insolvency Application No. 26 *of* 1939-40.

1. Budgere Venkataram Setty, son of Sampangi Ram Setty, Pillappa Galli, Bangalore City, 2. B. V. Chandrappa Setty, son of 1st petitioner, Pillappa Galli, Bangalore City ... *Petitioners.*

Pursuant to a petition, dated 22nd September 1939, against opponent, and on the appli cation of the petitioners-debtors and on reading the evidence and hearing the opponent, it is ordered that the debtors be and the said debtors are hereby adjudged insolvent.

Dated this 5th day of October 1940.

Debts to be proved on 13th December 1940.

Time for discharge—Two years.

Insolvency Application No. 53 *of* 1939-40.

K. R. Srinivasa Rao, son of Ramiah, residing at Subedar Chattram Road, Seethappa Garden, Bangalore City ... *Petitioner.* (*Debtor*).

Pursuant to a petition, dated 2nd March 1940, against opponent and on the applicatione of petitioner-debtor and on reading the evidence and hearing the creditors, it is ordered that the debtor be and the said debtor is hereby adjudged insolvent.

Dated this 5th day of October 1940.

Proof of debts—13th December 1940.

Time for discharge—Three years.

Insolvency Application No. 10 *of* 1940-41.

K. Audiramiah Setty of the Firm of the S. Sitharamiah Setty & K. Audiramiah Setty, Silk Merchant, Avenue Road, Bangalore City ... . *Petitioner.* (*Creditor*).

vs.

1. Pasamuni Hanumappa Setty, son of Venkataramappa, Lingasettypet, Bangalore City ... . *Respondent.* (*Debtor*).

2. Heeral Ramchodoss, Bangalore City, 3. Meghraj Kesarimull, Merchant, Bangalore City, 4. Hari Bhai Dayaram, Merchant, Bangalore City, 5. T. K. Brothers, Merchants, Bangalore City ... *Respondents.* (*Creditors*).

Pursuant to a petition, dated 28th September 1940, filed by the petitioner-creditor against 1st respondent-debtor and on the application of the petitioner-creditor and on reading the evidence and hearing the petitioner-creditor, it is ordered that the said 1st respondent, debtor be and the said debtor is hereby adjudged insolvent.

Dated this 5th day of October 1940.

B. LAKSHMINARAYANA JOIS,
Principal Subordinate Judge.

IN THE COURT OF THE SUBORDINATE JUDGE AT MYSORE.

Insolvency Case No. 36 *of* 1939-40.

Mohamed Salar, son of Abdul Karim, residing at Narayana Sastry Road, Mysore City ... ... *Petitioner* (*Debtor*).

Take notice that the abovenamed insolvent has applied at the Court for his discharge and that the Court has fixed the 18th day of November 1940 at 11 o'clock for hearing the application.

Dated this 18th day of October 1940.

G. KRISHNAMURTI,
Subordinate Judge.